



GALL-3712

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/542,674
Filing Date	04/01/00
First Named Inventor	Rouse, Graham M
Group Art Unit	3712
Examiner Name	FAYE FRANCIS
Total Number of Pages in This Submission	5
Attorney Docket Number	

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	RESPONSE TO OFFICE ACTION (2 PAGE LETTER)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

RECEIVED
MAY 15 2001
8700 MAIL ROOM

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Rouse, Graham M. Rouse	
Signature		
Date	MAY 7, 2001	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: **MAY 7, 2001**

Typed or printed name	Graham M. Rouse	
Signature		Date
	MAY 7, 2001	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

MAY 10 2001

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEET TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)195

Complete If Known

Application Number	<u>09/542,674</u>
Filing Date	<u>04/01/00</u>
First Named Inventor	<u>ROUSE, Graham M.</u>
Examiner Name	<u>FAYE FRANCIS</u>
Group Art Unit	<u>3712</u>
Attorney Docket No.	

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

Deposit Account Name

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	710	201 355 Utility filing fee	<input type="text"/>
106	320	206 160 Design filing fee	<input type="text"/>
107	490	207 245 Plant filing fee	<input type="text"/>
108	710	208 355 Reissue filing fee	<input type="text"/>
114	150	214 75 Provisional filing fee	<input type="text"/>

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
<input type="text"/>					
<input type="text"/>					

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103	18	203 9 Claims in excess of 20	<input type="text"/>
102	80	202 40 Independent claims in excess of 3	<input type="text"/>
104	270	204 135 Multiple dependent claim, if not paid	<input type="text"/>
109	80	209 40 ** Reissue independent claims over original patent	<input type="text"/>
110	18	210 9 ** Reissue claims in excess of 20 and over original patent	<input type="text"/>

SUBTOTAL (2) (\$)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	<input type="text"/>
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
139	130	139 130 Non-English specification	<input type="text"/>
147	2,520	147 2,520 For filing a request for ex parte reexamination	<input type="text"/>
112	920*	112 920* Requesting publication of SIR prior to Examiner action	<input type="text"/>
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	<input type="text"/>
115	110	215 55 Extension for reply within first month	<input type="text"/>
116	390	216 195 Extension for reply within second month	<input type="text"/>
117	890	217 445 Extension for reply within third month	<input type="text"/>
118	1,390	218 695 Extension for reply within fourth month	<input type="text"/>
128	1,890	228 945 Extension for reply within fifth month	<input type="text"/>
119	310	219 155 Notice of Appeal	<input type="text"/>
120	310	220 155 Filing a brief in support of an appeal	<input type="text"/>
121	270	221 135 Request for oral hearing	<input type="text"/>
138	1,510	138 1,510 Petition to institute a public use proceeding	<input type="text"/>
140	110	240 55 Petition to revive - unavoidable	<input type="text"/>
141	1,240	241 620 Petition to revive - unintentional	<input type="text"/>
142	1,240	242 620 Utility issue fee (or reissue)	<input type="text"/>
143	440	243 220 Design issue fee	<input type="text"/>
144	600	244 300 Plant issue fee	<input type="text"/>
122	130	122 130 Petitions to the Commissioner	<input type="text"/>
123	50	123 50 Processing fee under 37 CFR 1.17(q)	<input type="text"/>
126	180	126 180 Submission of Information Disclosure Stmt	<input type="text"/>
581	40	581 40 Recording each patent assignment per property (times number of properties)	<input type="text"/>
146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>
149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>
179	710	279 355 Request for Continued Examination (RCE)	<input type="text"/>
169	900	169 900 Request for expedited examination of a design application	<input type="text"/>
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)195

SUBMITTED BY

Name (Print/Type)	<u>Graham M. Rouse</u>	Registration No. (Attorney/Agent)	Telephone	<u>803 256 9743</u>
Signature	<u>G. Rouse</u>		Date	<u>MAY 7, 2001</u>

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



“Stretch Your Imagination”™
2442 Wheat St., Columbia, SC 29205 USA
<http://rouseinternational.com>



430 Queen St.
Columbia, SC
29205

May 7, 2001

*RK
6/5/01*

Ms Faye Francis
Art Unit 3712
Commissioner of Patents and Trademarks
Washington, D.C. 20231

Re: Application # 09/542,674

#6/ELECTION

Dear Ms. Francis:

This letter is in response to your office action regarding this application mailed 2/7/01.

FIRST ELECTION: I elect Group 1, the species shown in Figs 1 and 5.

SECOND ELECTION: I elect the species of anchor aperture shown in Fig 17.

THIRD ELECTION: I elect the species of end tab connector shown in Figs 20 and 21.

When you assigned “Groups”, you specified Figs associated with those Groups. I did not find such specifications for your understanding of anchor aperture species or end tab connectors species. Figs 20 and 21 are closely related and fall under the same claims description. This description occurs in claims #11 (1), #14 (1), and # 16 (1). It reads:

“(1) sections of framing material having notches, wrap around other sections of framing material having notches in such a way as to interlock;”

My understanding of the situation regarding the **THIRD ELECTION** above is described in the paragraph below. Please advise me if this is correct. If it is not correct, please explain what is correct.

While it is possible that there may be notch systems which are patentably distinct from this pair and it may be possible that each would be considered patentably distinct if filed separately; in this case, both illustrated examples fall within the generic claim “(1)” in the paragraph above. As such, I understand that both configurations might be allowed under “(1)” above. If prior art were to be found eliminating one, then “(1)” above might be revised to limit the claim to the remaining configuration.

Based on my understanding of your description of patentably distinct species, here is my understanding of the claims that read on the elected species above:

FIRST ELECTION:

- Claim 1
- Claim 2
- Claim 11

SECOND ELECTION:

I understand that within Claims 1,2, and 11 it is your present intention to research only the one species of anchor aperture (being that species shown in Fig 17).

THIRD ELECTION:

I understand that within Claims 1,2, and 11 it is your present intention to research only the one species of end tab connectors (being that species shown in Figs 20 and 21).

I have made, above, the elections as required by your office action dated February 5, 2001 and mailed February 7, 2001.

I wish to respectfully submit, however, that Claims 1, 12 and 15 are generic claims that appropriately encompass the "patentably distinct species" you identified in your correspondence.

Each of the species you identify is presented in my application as dependent upon all the restrictions of its "parent" or independent claim. Since all of the species have the common restrictions of the parent claim/s, I understand that the parent claim/s are therefore generic and may appropriately be researched as a unit without the necessity of an election restriction.

I would like to, and plan to, do additional research on the matter and submit further information and arguments in support of my position. I will, however, do that under separate cover as I am eager to file this response today so as to avoid unnecessary extension fees.

Successfully,



Graham Rouse